

**ATTACHMENT C
PLANNING COMMISSION MINUTES**

THURSDAY, AUGUST 30, 2012

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of August 30, 2012 together with the maps and staff reports attached thereto and incorporated therein by reference.

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ROLL CALL

PRESENT: Commissioner(s) Carlyn Christianson, Jim Irving, Tim Murphy, Ken Topping, and Dan O'Grady.

ABSENT: None

Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend Title 22 (the Land Use Ordinance) and Title 23 (the Coastal Zone Land Use Ordinance) of the County Code regarding agricultural cluster land divisions to 1) repeal Land Use Ordinance Sections 22.22.152 and 22.22.154 that address major agricultural clusters and minor agricultural clusters and revise Section 22.22.150 addressing agricultural lands clustering; and 2) amend Policies AGP20, AGP22, and AGP23 of the Agriculture Element of the County General Plan to reflect revised agricultural lands clustering requirements and residential density in the Agriculture land use category; 3) Add Coastal Zone Land Use Ordinance Section 23.04.037 allowing agricultural lands clustering in certain areas of the Coastal Zone and 4) Minor clean up language in the Land Use Element and Land Use Ordinance to reflect the proposed changes. The primary changes to Title 22 include, but are not limited to: deleting the density bonus, requiring a hydrogeologic report, establishing mandatory findings for adequate water supply, eliminating the distinction between major and minor ag cluster projects, revising the eligibility criteria for projects to two miles from specified Urban Reserve Lines, increasing the minimum parcel size of clustered residential lots from 10,000 square feet to 2.5 acres, and requiring clustered lots to be contiguous to form a single cluster. The proposed revision to Title 23 will add agricultural lands clustering based only on existing lots, without creating new lots. The proposed amendments to Titles 22 and 23 would affect land in the Agriculture land use category. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is evidence that the project may have a significant effect on the environment, and therefore a Final Environmental Impact Report (FEIR) was prepared (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) for this project. The FEIR addresses potential impacts on: Agriculture Resources, Air Quality, Biological Resources, Cultural Resources, Geologic Hazards, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Public Services, Transportation and Circulation, Visual Resources and Water Resources and Growth Inducement. Overriding considerations were determined necessary based on significant and unavoidable impacts associated with Agricultural Resources, Air Quality, Greenhouse Gas Emissions and Noise. County File Number: LRP2008-000

James Caruso, Project Manager: presents staff report via a Power Point presentation.

Dan O'Grady: opens Public Comment.

Eric Greening, Michael Winn, Joy Fitzhugh, Mike Brown, Sue Luft, Della Barrett, Keith Gurney, Kathy Longacre, Lisen Bonier, Victor Montgomery, Laura Mourdant, Laurie Alexia, and Susan Harvey: speak.

James Caruso and Airlin Singewald, Project Managers: addresses Public Comment.

Kami Griffin, Asst. Director: addresses Public Comment.

Commissioners and staff: begin deliberations.

Commissioners request clarification on the language in the Agricultural Element. Lynda Auchinachie, Agriculture Department: responds.

Discussion with all Commissioners ensues.

Chairperson O'Grady: questions what the Commission's options are. Assistant Director, Kami Griffin: responds.

Dan O'Grady: holds a straw vote regarding revisions:

- Pg. 2-2 to eliminate the distinction between major & minor: Yes- CC/JI/DO/KT.
- 2. Reduce but not eliminate the 100% bonus: Yes- CC/ JI/DO/KT
- 3. Change to greater than three less five miles: Yes- KT/TM/JI
- 4. Add include Shanndon URL. Yes- JI No - CC/DO/KT

Assistant Director, Kami Griffin: reviews the ordinance language.

Thereafter, on motion of Dan O'Grady, seconded by Carlyn Christianson, and on the following vote:

AYES: Commissioner(s) Dan O'Grady, Carlyn Christianson, Ken Topping.

NOES: Commissioner(s) , Jim Irving, Tim Murphy.

ABSENT: None.

The Commission tentatively recommends based on the findings in Exhibit LRP2008-00010:B that the Board of Supervisors 1) certify that the Final Environmental Impact Report was completed in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and adopt the CEQA findings in Exhibit LRP2008-0010:A, and 2) approves the Land Use Ordinance Amendment LRP2008-00010 as shown in Exhibits LRP2008-00010:C as amended, D as amended, and with the further supplement to the motion that the Board should consider as part of their action not eliminating the lot bonus but instead reducing such bonus to less than 100% and that an increased distance where these subdivisions can occur of between 3 and 5 road miles of identified urban reserve areas be established.

Commissioners continue on to the Coastal Zone Land Use Ordinance Amendments.

James Caruso, Project Manager: begins explaining the distinctions between coastal and inland agricultural clusters.

Commissioners: begin deliberating Title 23 Ag. Cluster policy.

Jim Orton, County Counsel: discusses Conditional Certificates of Compliance for illegal lots in terms of requiring a lot line adjustment. Considers the intent of the language "Conditional Certificates where all conditions have been satisfied". Suggests Pg. 2-85 f. (2) language be revised to "conditional certificates of compliance issued and all conditions complied with in accordance with Title 21 of the County Code" which would cover both inland and coastal areas.

Thereafter, on motion of Dan O'Grady, seconded by Carlyn Christianson, and on the following vote:

AYES: Commissioner(s) Dan O'Grady, Carlyn Christianson, Ken Topping.

NOES: Commissioner(s) , Jim Irving, Tim Murphy.

ABSENT: None.

The Commission tentatively recommends that the Board of Supervisors adopt Land Use Ordinance Amendment LRP2008-00010 as shown in Exhibit E. as modified based on the findings listed in Exhibit LRP2008-00010:B.

The Commission agrees to make the first tentative motion an unconditional motion.

Thereafter, on motion of Dan O'Grady, seconded by Carlyn Christianson, and on the following vote:

AYES: Commissioner(s) Dan O'Grady, Carlyn Christianson, Jim Irving, Tim Murphy, Ken Topping.

NOES: None.

ABSENT: None.

The Commission agrees to make the second tentative motion an unconditional motion on Title 23.

Thereafter, on motion of Jim Irving, seconded by Carlyn Christianson, and on the following vote:

AYES: Commissioner(s) Jim Irving, Carlyn Christianson, Tim Murphy, Ken Topping, Dan O'Grady.

NOES: None.

ABSENT: None.

Respectfully submitted,
Ramona Hedges, Secretary (Item 1)
Nicole Retana, Secretary Pro Tem (Item 2)
SLO County Planning Commission